Public Law 97-331
97th Congress

An Act

To amend the National Traffic and Motor Vehicle Safety Act of 1966 and the Motor Vehicle Information and Cost Savings Act to authorize appropriations for fiscal years 1983, 1984, and 1985, and for other purposes.

Oct. 15, 1982
[H.R. 6273]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Motor Vehicle Safety and Cost Savings Authorization Act of 1982.
15 USC 1381 note.

SHORT TITLE

SECTION 1. This Act may be cited as the "Motor Vehicle Safety and Cost Savings Authorization Act of 1982".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) Section 121 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1409) is amended by striking out "not" and all that follows through the period, and inserting in lieu thereof "$51,400,000 for fiscal year 1983, $55,000,000 for fiscal year 1984, and $58,700,000 for fiscal year 1985.".

(b) Section 111 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 1921) is amended by striking out "title" and all that follows through the period, and inserting in lieu thereof "title $320,000 for fiscal year 1983, $343,000 for fiscal year 1984, and $365,000 for fiscal year 1985.".

(c) Section 209 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 1949) is amended by striking out "title" and all that follows through the period, and inserting in lieu thereof "title $1,677,000 for fiscal year 1983, $1,800,000 for fiscal year 1984, and $1,950,000 for fiscal year 1985.".

(d) Section 417 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 1990g) is amended by striking out "title" and all that follows through the period, and inserting in lieu thereof "title $183,000 for fiscal year 1983, $196,000 for fiscal year 1984, and $210,000 for fiscal year 1985.".

STATE ENFORCEMENT AUTHORITY

SEC. 3. Section 103(d) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392(d)) is amended by inserting after the first sentence thereof the following new sentence: "Nothing in this section shall be construed as preventing any State from enforcing any safety standard which is identical to a Federal safety standard.".

TIRE REGISTRATION INFORMATION; NOTICE OF TIRE DEFECTS

SEC. 4. (a) Section 158(b) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1418(b)) is amended—

(1) by inserting "(1)" after the subsection designation; and

(2) by adding at the end thereof the following new paragraphs:

"(2)(A) Except as provided in paragraph (3), the Secretary shall not have any authority to establish any rule which requires a dealer or distributor to complete or compile the records and information specified in paragraph (1) if the business of such dealer or distributor is not owned or controlled by a manufacturer of tires.

"(B) The Secretary shall require each dealer and distributor whose business is not owned or controlled by a manufacturer of tires to furnish the first purchaser of a tire with a registration form (containing the tire identification number of the tire) which the purchaser may complete and return directly to the manufacturer of the tire. The contents and format of such forms shall be established by the Secretary and shall be standardized for all tires. Sufficient copies of such forms shall be furnished to such dealers and distributors by manufacturers of tires.

"(3)(A) At the end of the two-year period following the effective date of this paragraph (and from time to time thereafter), the Secretary shall evaluate the extent to which the procedures established in paragraph (2) have been successful in facilitating the establishment and maintenance of records regarding the first purchasers of tires.

"(B)(i) The Secretary, upon completion of any evaluation under subparagraph (A), shall determine (I) the extent to which dealers and distributors have encouraged first purchasers of tires to register the tires, and the extent to which dealers and distributors have complied with the procedures established in paragraph (2); and (II) whether to impose upon manufacturers, dealers, or distributors (or any combination of such groups) any requirements which the Secretary determines will result in a significant increase in the percentage of first purchasers of tires with respect to whom records would be established and maintained.

"(ii) Manufacturers of tires shall reimburse dealers and distributors for all reasonable costs incurred by them in order to comply with any requirement imposed by the Secretary under clause (i).

"(iii) The Secretary may order by rule the imposition of requirements under clause (i) only if the Secretary determines that such requirements are necessary to reduce the risk to motor vehicle safety, after considering (I) the cost of such requirements to manufacturers and the burden of such requirements upon dealers and distributors, as compared to the additional percentage of first purchasers of tires with respect to whom records would be established and maintained as a result of the imposition of such requirements; and (II) the extent to which dealers and distributors have encouraged first purchasers of tires to register the tires, and the extent to which dealers and distributors have complied with the procedures established in paragraph (2).

Report to Congress.

"(iv) The Secretary, upon making any determination under clause (i), shall submit a report to each House of the Congress containing a detailed statement of the nature of such determination, together with an explanation of the grounds for such determination.".

(b) Section 153(c) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1413(c)) is amended—

(1) in paragraph (2) thereof, by striking out "or tire,", and by striking out "or tire";

(2) by redesignating paragraph (4) and paragraph (5) thereof as paragraph (5) and paragraph (6), respectively, and by inserting after paragraph (3) thereof the following new paragraph:

"(4) in the case of a tire (A) by first-class mail to the most recent purchaser known to the manufacturer; and (B) by public notice in such manner as the Secretary may order after consultation with the manufacturer, if the Secretary determines that such public notice is necessary in the interest of motor vehicle safety, after considering (i) the magnitude of the risk to motor vehicle safety caused by the defect or failure to comply; and (ii) the cost of such public notice as compared to the additional number of owners who could be notified as a result of such public notice;"; and

(3) in the last sentence thereof—

(A) by striking out "(or of a motor vehicle on which such tire was installed as original equipment)";

(B) by inserting "by first-class mail" after "notification" the first place it appears therein; and

(C) by striking out "(1) or (2)" and inserting in lieu thereof "(4)(A)".

Approved October 15, 1982.

LEGISLATIVE HISTORY—H.R. 6273:

HOUSE REPORT No. 97-576 (Comm. on Energy and Commerce).
SENATE REPORT No. 97-505 (Comm. on Commerce, Science, and Transportation).
CONGRESSIONAL RECORD, Vol. 128 (1982):
June 14, considered and passed House.
Oct. 1, considered and passed Senate.